

HABITAT COUNTRY PROGRAMME DOCUMENT
NIGERIA

2016 - 2021

(Aligned with UNDAF cycle)

FINAL DRAFT

(Pending finalization of Country Programme Documents (CPDs) in November 2016 when the DRAFT UNDAF IV for Nigeria would have been ready. This will enable all agencies to align CPDs with the current country document going by the fact that Nigeria will be operating DaO.)

TABLE OF CONTENTS

i. Forward

ii. Executive Summary

1. THE URBAN CHALLENGE

- Institutional Framework for Urban Sector

2. NATIONAL URBAN SECTOR PROFILE

Focus Area 1: Urban Legislation, Land and Governance

- Urban Legislation
- Land Administration
- Urban Governance

Focus Area 2: Urban Planning and Design

Focus Area 3: Urban Economy

Focus Area 4: Urban Basic Services

Focus Area 5: Housing and Slum Upgrading

Focus Area 6: Risk Reduction and Rehabilitation

Focus Area 7: Research and Capacity Development

CROSS-CUTTING ISSUES: Gender, Youth, Climate Change and Human Rights

3. NATIONAL DEVELOPMENT GOALS AND PRIORITIES

- Nigeria's Vision 20:2020 (NV 20:2020) Economic Transformation Blueprint
- The National Integrated Infrastructure Master Plan (NIIMP, 2014 - 2043)
- National Urban Development Policy 2012
- National Housing Policy 2012
- Roadmap for Lands, Housing and Urban Development Sectors

4. UNITED NATIONS RESPONSE TO NIGERIA'S DEVELOPMENT PRIORITIES

- UN Habitat Intervention Areas for Urban Sector in UNDAF III

5. STRATEGIC FOCUS OF UN HABITAT COUNTRY PROGRAMME (2016 – 2021)

6. IMPLEMENTATION ARRANGEMENTS

7. FRAMEWORK FOR PROPOSED UN-HABITAT PROGRAMMES IN NIGERIA (2016 –2021)

1. NIGERIA: THE URBAN CHALLENGE

National Urbanisation Context

Rapid population growth experienced in Nigeria (3.2%¹) has been characterised by an even higher urban population growth rate of 3.97%², which has seen the proportion of urban dwellers rising from 10.6% of total population in 1953 to 19.1% in 1963, 35.7% in 1991 and 48.2% in 2006. The 2006 National Population Census has projected the urban population in Nigeria at 50 per cent of total population by 2015, and is expected to rise to 60% by 2025. This large urban population is distributed among several fast growing cities in the six geo-political regions of the country as the number of cities with populations of 20,000 and above rose from 56 in 1953 to 183 in 1963 and 359 in 1991. By 2010, this number had risen to over 1,000 and Nigeria currently has no fewer than 19 cities with population figures of one million and above.

Table 1: Nigeria – Urban/Rural Population Spread

Year	Total population (in millions)		Percent share (%)	
	Urban	Rural	Urban	Rural
1921	0.89	17,38	4.8	95.2
1931	1.34	18.71	6.7	93.3
1953	3.70	16.70	10.2	89.8
1963	10.70	44.97	15.2	84.8
1991	38.15	64.84	35.7	64.3
2006	54.77	85.65	39.0	61.0
2010	85.35	81.65	50.0	50.0
2025	122.22	81.48	60.0	40.0

Sources: Federal Office of Statistics, (1964), National Population Commission Census figures and estimates; National Bureau of Statistics (2009/2010); World Bank (2012)

Among the factors that have driven Nigeria's high urbanisation rate are: natural increase through population growth; the designation of several towns as headquarters of Federal, States and Local Government administrations; unprecedented expansion of commercial and industrial activities in most towns and cities; and, the location of higher education institutions, among others.³

Unfortunately, the urban transformation has also brought about some critical challenges such as the rapid growth in the proportion of urban residents who live in slum conditions (estimated at about 69%), a rising housing deficit estimated at between 16-18 million units; insecure land tenure, poor and inadequate infrastructure, lack of basic urban services, high cost of funds, substandard building materials, incompetent construction workforce and the absence of adequate legislative framework to guide the housing industry.

1 National Population Commission, 2006 National Population Census

2 World Bank Survey 2010

3 FMLHUD, Draft Nigeria Land, Housing and Urban Development Roadmap (2014 – 2043), 2014

Other key urbanisation issues in Nigeria include:⁴

- a) Gross negligence to formulate, adopt and implement development/land use master plans for towns and cities;
- b) Increasing air pollution arising from the use of fossil fuels for cooking, lighting and vehicular locomotion; and,
- c) Abuses of the natural environment due to lack of adequate land use planning, ineffective development control and poor land husbandry, resulting in loss of biodiversity, deforestation, desertification, flooding, soil erosion and pollution of land, air and water.

Institutional Framework for Urban Sector

Different levels of government play important roles in the management of cities in Nigeria, as the country operates a three-tier government structure, comprising the Federal, State (sub-national) and Local Government with functions clearly spelt-out in the 1979 Federal Constitution. The Constitution however, does not include specific provisions for urban governance at city-wide level as most major cities comprise several Local Government Areas, thereby fragmenting such urban centres into different administrative structures. Following the promulgation of the 1976 Local Government Reform Act and the Guidelines on the creation of LGs, the 276 local governments created in the country were first increased to 301 in 1976 and later to 442 in 1988; 454 in 1989; 589 in 1991; and, 774 in 1999, spread across six geo-political zones, comprising North-West, North-East, North-central, South-West, South-South and South-East. In addition, some State Governments have created Local Council Development Areas (LCDAs) as additional lower levels of administration to the existing LGs. The LGs created are made up of both urban and rural Local Governments.

The focal Ministry for housing and urban development matters at the national level is the Federal Ministry of Power, Works and Housing (FMPWH), which is the umbrella policy arm of the federal government charged with the responsibility of ensuring adequate and sustainable housing delivery, maintenance of a conducive living environment that meets the needs and aspirations of the Nigerian citizens and, establishing a sustainable housing delivery system that ensures easy access to home ownership and rental schemes by the Nigerian populace in an environment where basic physical infrastructure and social amenities are available.

The functions of the Ministry, in relation to Lands, Housing and Urban Development are:

- i. Preparing and submitting, from time to time, proposals for National Lands and Housing as well as Urban Development programmes and plans;
- ii. Reviewing all existing legislations in the Lands and Housing as well as Urban Development sectors to achieve the goal of adequate housing for all Nigerians in a conducive and liveable environment;
- iii. Supervising the activities of the Federal Housing Authority (FHA), Federal Mortgage Bank of Nigeria (FMBN), and Registration Boards of relevant professional bodies; and

⁴ Federal Republic of Nigeria, National Urban Development Policy, 2012

iv. Performing other functions as may be assigned to the Ministry from time to time.

Legislative oversight for housing and urban development matters is provided at the National Assembly through the Senate Committee on Housing and Urban Development as well as two Standing Committees of the Federal House of Representatives, namely, the House Committee on Environment and Habitat and the House Committee on Housing and Urban Development. Administration of the Federal Capital Territory is conducted by the Federal Capital Territory Administration under the supervision of a Cabinet Minister appointed by the President of the Federal Republic of Nigeria.

Similar structures are in operation at the State level, where executive activities are carried out through dedicated Ministries, Departments and Agencies for Housing and Urban Development headed by Honourable Commissioners and chief executives officers appointed by the State Governors, while oversight functions are provided by Standing Committees of the State Houses of Assembly.

Table 2: NIGERIA - Basic Human Settlements Data

Total Population (2012)	170 million
Urban Population in (2010)	50% of Total population
Annual population growth rates	National 3.2%; Urban 3.97%
Number of cities above 20,000 population (2014)	800 +
Number of cities with population of 1 Million and above (2014)	7 Cities
Number of Megacities with population more than 10 million people	1 (Lagos)
Slum to urban population	69%*
Urban Population with access to improved water	79%*
Urban Population with access to improved sanitation	31%
Total housing deficit (2014)	16 - 18m units
Nigeria: National GDP (2013)	\$509.9 billion
GDP per capita (2013)	\$2,688
Percent Contribution of Buildings and construction Sector to total GDP (2013)	3.12%
Percent of urban population in the informal sector	60-80%
Percent of Total Population earning less than US1 per day (2010)	61.2%
Percent of Urban Population earning less than US1 per day (2010)	52.4%
Percent of total Rural Population earning less than US1 per day (2010)	66.3%

SOURCE: National Bureau of Statistics, Central Bank of Nigeria, Road Map for Housing and Urban Development Sector

** WHO, UNICEF: Progress on Drinking Water and Sanitation - 2014 update.*

2. NATIONAL URBAN SECTOR PROFILE

Nigeria's National Urban Profile, in line with the outline of UN-Habitat's 2014-2019 Strategic Plan, is reviewed under the following seven focus areas, namely:

- a) Urban legislation, land, and governance,
- b) Urban planning and design,
- c) Urban economy,
- d) Urban basic services,
- e) Housing and slum upgrading,
- f) Risk reduction and rehabilitation, and
- g) Research and capacity development.

Focus Area 1: Urban Legislation, Land and Governance

The absence of effective and gender-sensitive urban land development mechanisms, legislative frameworks and governance institutions and systems have adversely affected the urbanisation process, especially in developing countries where urban legislation is either outdated, unresponsive to current urban issues, and either conflict or overlap with each other or are not enforceable.⁵ Also, unmanaged growth and inappropriate urban governance models in many developing countries have seen many cities expanding beyond their boundaries and coalescing into large metropolitan regions. Through the Strategic Plan 2014–2019,⁶ UN Habitat is addressing inadequacies in legislation and institutions (regulatory frameworks) affecting urban development while supporting the adoption of appropriate regulatory frameworks for urban land development, urban planning, urban management and governance, and local economic investment. Special attention is also being given to improving the level of participation of women in urban governance, especially at the local level, as well as increasing access by women to urban land.

Interventions under this Focus Area will draw from UN Habitat's experience from key initiatives like the Global Land Tool Network and the Land Readjustment Programme among several others.

Urban Legislation

Several laws have been promulgated in Nigeria to address the challenges of management and delivery of basic services in urban centres.

The principal legislations in place to guide city governance include:

- i. Constitution of the Federal Republic of Nigeria 1999, which stipulates both Exclusive and Concurrent duties for each level of government and assigns 14 exclusive functions to LGs, as follows:

Table 3: Constitutional Roles of Local Government

⁵ UN HABITAT, Strategic Plan 2014 – 2019 of the United Nations Human Settlements Programme, April 2013

⁶ UN HABITAT, Strategic Plan 2014 – 2019 of the United Nations Human Settlements Programme, April 2013

1	Recommendations to State Commission on Economic Planning
2	Collection of rates
3	Establishment and maintenance of cemeteries, burial grounds and homes for the destitute or infirm
4	Licensing of bicycles, trucks (other than mechanically propelled trucks), canoes, wheel barrows and carts
5	Establishment, maintenance and regulation of slaughter houses, slaughter slabs, markets, motor parks and public conveniences
6	Construction and maintenance of roads, streets, street lightings, drains and other public highways, parks, gardens, open spaces etc.
7	Naming of roads and streets and numbering of houses
8	Provision and maintenance of public conveniences, sewage and refuse disposal
9	Registration of all births, deaths and marriages
10	Assessment of privately owned houses or tenements for the purpose of levying such rates as may be prescribed by the House of Assembly of a State
11	Control and regulation of out-door advertising and hoarding, movement and keeping of pets of all descriptions, shops, kiosks, restaurants, bakeries, laundries and licensing, regulation and control of sale of liquor
12	Provision and maintenance of primary, adult and vocational education
13	Development of agriculture and natural resources other than the exploitation of materials
14	Provision and maintenance of health services

Source: Federal Republic of Nigeria (1999): 1999 Constitution of Nigeria

- i. The Local Government Reform Act, 1976;
- ii. The Land Use Act 1978, which vests custody of land located in urban areas in the State Governor and land in rural areas in the Local Government Chairman; and,
- iii. The Urban and Regional Planning Law 1992, which provides guidelines for land use planning and development control functions in the country.

Land Administration

The principal guide to land administration in Nigeria is the Land Use Act of 1978, which vests custody of land located in urban areas in the State Governor and land in rural areas in the Local Government Chairman and states that such land shall be held in trust for use and the common benefit of the people. The law also stipulates the procedures for assignment, limits of holdings and provides for tenure security through the issuance of either statutory or customary rights of occupancy with the expressed consent of either the State Governor for statutory Certificates of Occupancy or Local Government Chairman for Customary Rights of Occupancy respectively.

Despite the intention of the Land Use Act of 1978 to ensure access by governments to development land when required and curb land speculation, it has not been able to facilitate easy access to land by individuals, while the vesting of control over land in urban areas in the State Governor has effectively limited the roles played by Local Governments in such areas in its administration.

A land reform process currently underway is being facilitated by the Presidential Technical Committee on Land Reform (PTCLR), which was inaugurated in November, 2011 and would likely culminate in Constitutional changes to the Land Use Act 1978.

Urban Governance

While the 1999 Constitution of the Federal Republic of Nigeria prescribes a three-tier governance structure for the country, comprising the Federal, State and Local Governments, and goes ahead to define the population threshold for settlements described as “Urban,” no recognition is given to the need for management of urban centres as a harmonised contiguous unit. Hence, even though the 1976 Local Government Reforms stipulate guidelines for creation of Local Governments that would recognize the boundaries of existing towns, the implementation of the law has since seen most large cities in Nigeria fragmented into several independent Local Governments and Development Areas.

According to the Good Urban Government Assessment of Nigeria,⁷ “Many Nigerian cities do not have up-to-date city development strategies, due to the lack of capacity and resources to plan, ineffective development control, and inadequate institutional as well as legal frameworks for promoting good urban governance. These challenges have been complicated by Nigeria’s Federal system of government that is based on the administrative boundaries of Local, State and Federal Governments, with no recognition for municipal administrations. This arrangement makes it particularly difficult to govern large metropolitan cities like Lagos, Ibadan, Kano, and many others - as the administrative boundaries of these cities consist of multiple independent local governments. There is no arrangement among constituent Local governments for integration and coordination of developments within these cities.”

Several studies have also shown that cities in Nigeria are not properly governed,⁸ a situation which accounts for their poor state and retards their ability to fully make significant contributions to the national economy. According to the National Urban Development policy (2012) “Many Nigerian cities are subdivided into several local governments, militating against their proper governance. There is neither legal provision for it, nor the practice of urban governance. There are no city mayors.”

Other strategies adopted to address issues relating to Urban Governance in Nigeria include the adoption of the First, Second, Third and Forth National Development Plans, which established institutions and allotted resources to urban planning; adoption of the first National Housing policy in 1991, which addressed several urban development issues

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